



# FEMA

U.S. Department of Homeland Security  
Louisiana Recovery Office  
1 Seine Court  
New Orleans, Louisiana 70114

**DRAFT FINDING OF NO SIGNIFICANT IMPACT**  
**34<sup>th</sup> DISTRICT COURTHOUSE: COMMUNICATIONS ANTENNA TOWER**  
**ST. BERNARD PARISH, LOUISIANA**  
**FEMA-1603-DR-LA (HURRICANE KATRINA)**

## **Introduction**

Hurricane Katrina made landfall on August 29, 2005 near Buras-Triumph, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide Federal assistance in designated areas of Louisiana. This is pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program (PA) to assist in funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of the declared disaster.

The St. Bernard Parish government's communications antenna tower located on the roof of the 34<sup>th</sup> District Courthouse sustained major damage as a result of wind and rain brought on by Hurricane Katrina. The structure was deemed eligible for federal disaster public assistance repair funds. In order to restore the lost communication resources that were lost as a result of Hurricane Katrina, St. Bernard Parish seeks federal grant funds to replace the communications antenna tower on its own concrete foundation at ground level behind the existing 34<sup>th</sup> District Courthouse in Chalmette, Louisiana.

Comment [AB1]: 560 or 301?

Replacement of the ~~tower-communication services~~ lost as a result of Hurricane Katrina is necessary to serve the ~~communication~~-needs of various departments of the St. Bernard Parish Government. The proposed replacement antenna tower would have upgraded wireless communication components that would increase the overall weight of the tower. Replacing the antenna in its original location on the roof would require reinforcing or rebuilding the entire roof to support the increased weight of the new tower. Therefore, the St. Bernard Parish Government has proposed to locate the proposed 130ft tall tower on the ground on a concrete foundation, adjacent to the courthouse.

In accordance with 44 CFR Part 10, FEMA regulations to implement the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared. The purpose of this EA is to analyze the potential environmental impacts associated with the 34<sup>th</sup> District Courthouse: Communications Antenna Tower and to determine whether

to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

### **Findings**

FEMA has evaluated the proposed project for significant adverse impacts to water resources (wetlands and floodplains), coastal resources, biological resources, cultural resources, hazardous materials and environmental justice. Based on the information analyzed, FEMA has determined that the implementation of the proposed action would not result in significant adverse impacts to the quality of the natural and human environment. The proposed alternative is not anticipated to have the potential for significant cumulative effects when combined with past, present, and reasonably foreseeable future actions in accordance with 44 CFR Part 10.8 (d)(3)(x). As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10) and the proposed action as described in the EA may proceed.

### **CONDITIONS AND MITIGATION MEASURES**

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by the applicant prior to and during project implementation.

- In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- The applicant must coordinate all construction activities with the local floodplain manager and remain in compliance with formally adopted local floodplain ordinances. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the community established base flood elevation. **Hazardous materials need to be elevated above the 0.2 % annual chance (500-year) flood elevation.**
- The project has been found by the LDNR to be inside the Louisiana Coastal Zone; therefore, they require that a complete Coastal Use Permit Application package (Joint Application Form, locality maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee be submitted to their office prior to construction.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The

applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery.

- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO.
- Project construction may involve the use of potentially hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber), and may result in the generation of small amounts of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous and non-hazardous wastes are required to be disposed in accordance with applicable Federal, state and local regulations.

#### **Public Review and Comment**

The Draft EA can be viewed and downloaded from FEMA's website at [www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm](http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm). The EA will also be available for public review at the St. Bernard Parish Library at 2600 Palmisano Boulevard, Chalmette, LA. A legal notice will be posted in the local newspaper on May 18, 2012, inviting the public to review and comment. If no substantive comments are received within 15 days of the public notice, the Draft EA will become final and the initial Public Notice will also serve as the final Public Notice.

#### **Approvals:**

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FEMA-1603/1607-DR-LA

Date

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Joseph Threat, Sr., Executive Director  
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Date